

## Federal Communications Commission

## § 96.63

(c) An SAS may temporarily assign PALs to different channels (within the frequency range authorized for Priority Access use) to protect Incumbent Access Users or if necessary to perform its required functions.

EFFECTIVE DATE NOTE: At 80 FR 36222, June 23, 2015, § 96.59 was added, however, paragraph (a) contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 96.61 Security.

(a) An SAS must employ protocols and procedures to ensure that all communications and interactions between the SAS and CBSDs are accurate and secure and that unauthorized parties cannot access or alter the SAS or the information it sends to a CBSD.

(b) Communications between CBSDs and an SAS, between an ESC and an SAS, between individual CBSDs, and between different SASs, must be secure to prevent corruption or unauthorized interception of data. An SAS must be protected from unauthorized data input or alteration of stored data.

(c) An SAS must verify that the FCC identification number supplied by a CBSD is for a certified device and must not provide service to an uncertified device.

EFFECTIVE DATE NOTE: At 80 FR 36222, June 23, 2015, § 96.61 was added, however, this section contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 96.63 Spectrum access system administrators.

The Commission will designate one or more SAS Administrators to provide nationwide service. The Commission may, at its discretion, permit the functions of an SAS, such as a data repository, registration, and query services, to be divided among multiple entities; however, it shall designate one or more specific entities to be an SAS Administrator responsible for coordinating the overall functioning of an SAS and providing services to operators in the Citizens Broadband Radio Service. Each SAS Administrator designated by the Commission must:

(a) Maintain a regularly updated database that contains the information described in § 96.55.

(b) Establish a process for acquiring and storing in the database necessary and appropriate information from the Commission's databases, including PAL assignments, and synchronizing the database with the current Commission databases at least once a day to include newly licensed facilities or any changes to licensed facilities.

(c) Establish and follow protocols and procedures to ensure compliance with the rules set forth in this part, including the SAS functions set forth in subpart F of this part.

(d) Establish and follow protocols and procedures sufficient to ensure that all communications and interactions between the SAS, ESC, and CBSDs are accurate and secure and that unauthorized parties cannot access or alter the SAS or the information transmitted from the SAS to CBSDs.

(e) Provide service for a five-year term. This term may be renewed at the Commission's discretion.

(f) Respond in a timely manner to verify, correct or remove, as appropriate, data in the event that the Commission or a party brings a claim of inaccuracies in the SAS to its attention. This requirement applies only to information that the Commission requires to be stored in the SAS.

(g) Securely transfer the information in the SAS, along with the IP addresses and URLs used to access the system, and a list of registered CBSDs, to another approved entity in the event it does not continue as the SAS Administrator at the end of its term. It may charge a reasonable price for such conveyance.

(h) Cooperate to develop a standardized process for coordinating operations with other SASs, avoiding any conflicting assignments, maximizing shared use of available frequencies, ensuring continuity of service to all registered CBSDs, and providing the data collected pursuant to § 96.55.

(i) Coordinate with other SAS Administrators including, to the extent possible, sharing information, facilitating non-interfering use by CBSDs connected to other SASs, maximizing available General Authorized Access

## § 96.65

frequencies by assigning PALs to similar channels in the same geographic regions, and other functions necessary to ensure that available spectrum is used efficiently consistent with this part.

(j) Provide a means to make non-federal non-proprietary information available to the public in a reasonably accessible fashion in conformity with the rules in this part.

(k) Ensure that the SAS shall be available at all times to immediately respond to requests from authorized Commission personnel for any and all information stored or retained by the SAS.

(l) Establish and follow protocols to respond to instructions from the President of the United States, or another designated Federal government entity, issued pursuant to 47 U.S.C. 606.

(m) Establish and follow protocols to comply with enforcement instructions from the Commission.

(n) Ensure that the SAS:

(1) Operates without any connectivity to any military or other sensitive federal database or system, except as otherwise required by this part; and

(2) Does not store, retain, transmit, or disclose operational information on the movement or position of any federal system or any information that reveals other operational information of any federal system that is not required by this part to effectively operate the SAS.

EFFECTIVE DATE NOTE: At 80 FR 36222, June 23, 2015, § 96.63 was added, however, this section contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

## § 96.65 Spectrum access system administrator fees.

(a) An SAS Administrator may charge Citizens Broadband Radio Service users a reasonable fee for provision of the services set forth in subpart F of this part.

(b) The Commission, upon request, will review the fees and can require changes to those fees if they are found to be unreasonable.

## 47 CFR Ch. I (10–1–15 Edition)

### Subpart G—Environmental Sensing Capability

#### § 96.67 Environmental sensing capability.

(a) The primary purpose of the ESC is to facilitate coexistence of Citizens Broadband Radio Service users with federal Incumbent Users through signal sensing. An ESC will be operated by a non-governmental entity and, except as set forth in this section, will not rely on governmental agencies to affirmatively communicate information about the operations of incumbent radio systems.

(b) An ESC may only operate after receiving approval by the Commission. Such approval shall be conditioned on meeting the requirements of this part and any other requirements imposed by the Commission. The Commission may revoke, modify, or condition ESC approval at its discretion.

(c) An ESC must meet the following requirements:

(1) Be managed and maintained by a non-governmental entity;

(2) Accurately detect the presence of a signal from a federal system in the 3550–3700 MHz band and adjacent frequencies using approved methodologies that ensure that any CBSDs operating pursuant to ESC will not cause harmful interference to federal Incumbent Users;

(3) Communicate information about the presence of a signal from a federal Incumbent User system to one or more approved SASs;

(4) Maintain security of detected and communicated signal information;

(5) Comply with all Commission rules and guidelines governing the construction, operation, and approval of ESCs;

(6) Ensure that the ESC shall be available at all times to immediately respond to requests from authorized Commission personnel for any information collected or communicated by the ESC; and

(7) Ensure that the ESC operates without any connectivity to any military or other sensitive federal database or system and does not store, retain, transmit, or disclose operational information on the movement or position of any federal system or any information